

## Bureau of Land Management, Interior

## § 2568.64

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### WHO IS QUALIFIED FOR AN ALLOTMENT

#### **§ 2568.50 What qualifications do I need to be eligible for an allotment?**

To qualify for an allotment you must:

(a) Have been eligible for an allotment under the Native Allotment Act as it was in effect before December 18, 1971; and

(b) Establish that you used land in accordance with the regulation in effect before December 18, 1971, and that the land is still owned by the Federal government; and

(c) Be a veteran who served at least six months between January 1, 1969, and December 31, 1971, or enlisted or was drafted after June 2, 1971, but before December 3, 1971; and

(d) Not have already received conveyance or approval of an allotment. (However, if you are otherwise qualified to receive an allotment under the Alaska Native Veterans Allotment Act, you will still qualify even if you received another allotment interest by inheritance, devise, gift, or purchase); and

(e) Not have a Native allotment application pending on October 21, 1998; and

(f) Reside in the State of Alaska or, in the case of a deceased veteran, have been a resident of Alaska at the time of death.

[65 FR 40961, June 30, 2000, as amended at 66 FR 52547, Oct. 16, 2001]

### PERSONAL REPRESENTATIVES

#### **§ 2568.60 May the personal representatives of eligible deceased veterans apply on their behalf?**

Yes. The personal representative or special administrator, appointed in the appropriate Alaska State court proceeding, may apply for an allotment

for the benefit of a deceased veteran's heirs if the deceased veteran served in South East Asia at any time during the period beginning August 5, 1964, and ending December 31, 1971, and during that period the deceased veteran:

(a) Was killed in action,

(b) Was wounded in action and later died as a direct consequence of that wound, as determined and certified by the Department of Veterans Affairs, or

(c) Died while a prisoner of war.

[65 FR 40961, June 30, 2000, as amended at 66 FR 52547, Oct. 16, 2001]

#### **§ 2568.61 What are the requirements for a personal representative?**

The person filing the application must present proof of a current appointment as personal representative of the estate of the deceased veteran by the proper court, or proof that this appointment process has begun.

#### **§ 2568.62 Under what circumstances does BLM accept the appointment of a personal representative?**

BLM will accept an appointment of personal representative made any time after an eligible person dies, even if that appointment came before enactment of the Alaska Native Veterans Allotment Act.

#### **§ 2568.63 Under what circumstances does BLM reject the appointment of a personal representative?**

If the appointment process is incomplete at the time of allotment application filing, the prospective personal representative must file the proof of appointment with BLM within 18 months after the application filing deadline or BLM will reject the application.

#### **§ 2568.64 Are there different requirements for giving an allotment to the estate of a deceased veteran?**

No, the estate of the deceased veteran eligible under § 2568.60 must meet the same requirements for a Native allotment as other living Alaska Native veterans. In addition, a deceased veteran must have been a resident of Alaska at the time of death.